



Idaho Juvenile Courts 2007

Report to Governor Butch Otter and the Second Regular Session of the 59th Idaho Legislature

Idaho's juvenile courts continue to serve their communities by holding juveniles accountable, requiring juvenile offenders to develop needed competencies and assuring the community is protected. These functions are the elements of the Balanced Approach, the foundation for Idaho's juvenile justice system.

Advisory Team Strengthens Judicial Leadership

The Juvenile Justice Advisory Team, a team composed of at least one judge hearing juvenile cases from each of the state's judicial districts, meets at least twice a year to address ongoing and new concerns for juvenile judges. In March the judges heard reports from IDJC, DHW and County officials on the continuing concerns of mental health and substance abuse. Mental health experts believe many youth in the juvenile justice system are suffering from mental health disorders. Substance abuse experts suggest many are substance abusers. From the reports provided, the judges monitor the utilization of mental health and substance abuse services for juveniles and make recommendations for legislative change or additional service needs to reduce recidivism..

New Rules Adopted for Young Offenders

The juvenile rules committee proposed several new rules to strengthen the effectiveness of the juvenile justice system. One of the more noteworthy rules dealt with the increase in juvenile offenders aged 10 to 12 being committed. The Department of Juvenile Corrections reports over the past two and one-half years the courts have committed 25 juveniles age 10-12. This past summer DJC had 6 juveniles age 10-12 in their custody. There were 1,063 juveniles between the ages of 10 and 13 on probation within the state in 2006. National reports, which coincide with the experience of Idaho's juvenile corrections and the social welfare agencies, indicate that institutionalizing a child at an early age will likely result in continued institutional placement for an extended period of time. The new rule provides that a screening team composed of probation officers, family members, child mental health professionals, IDJC staff, educators, the prosecuting attorney and public defender and other individuals as determined by the court, must meet and provide to the court information about the young juvenile offender and appropriate treatment alternatives to commitment, if any exist.

Implementation of SB1142

This new statute provides a new tool for the juvenile judges to use when sentencing juveniles addicted to substance abuse. Judges were provided information on the implementation of SB 1142, now encoded as I.C. 20-520(i). All agencies involved with implementing this new statute worked together to create forms and instructions, which have been provided to all agencies involved with this implementation process. Magistrate judges were also provided information on the GAIN and other substance abuse system changes.

Intervention Opportunities

Idaho judges are thankful to have the opportunity to use intervention programs in Idaho. Through the Millennium Fund, two intervention programs are being used, the Status Offender and Youth Court programs. These programs provide the community with tools to effectively and efficiently provide intervention to young offenders to stop illegal use of tobacco and other substances. Judges, in partnership with the Juvenile Justice System, have the capability to match the most effective intervention program to the needs of the youthful offender and their family. The Idaho Status Offender programs have served 452 youths and their families in FY07. These programs are being used in five judicial districts with thirteen counties participating in the program. Status offenses include truancy, curfew, incorrigible,



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runaway, tobacco, and substance abuse. Status offenses have for a long time been referred to as a “gateway crime.” National reports show the majority of juveniles who are involved in serious criminal behaviors usually begin by committing gateway crimes. Youth Courts have also proven to be effective for the Idaho system serving 629 youth, most of them committing tobacco and alcohol offenses. These programs are being used in five judicial districts with eleven counties participating. This also provides an opportunity for teen volunteers to perform roles of prosecutors, defense attorneys, and judges, which allows them to see how the judicial system works.

Both the Youth Court and Status Offender programs provide direct services in areas such as mental health and substance abuse assessments, tracking, mediation, mentoring, family training and counseling, individual counseling, drug and alcohol counseling, anger management, home support services, drug and alcohol screening, smoking and substance abuse cessation classes, testing for tobacco, and cognitive thinking change classes. These programs can help solve issues before they become a major impact in the juvenile’s life.

Focus on Substance Abuse / Mental Health

This next year the juvenile judges will continue to monitor and note how mental health and substance abuse concerns of juvenile offenders can be better served by the juvenile justice system. The judges look forward to supporting the use of the GAIN assessment, including the use of this tool in first time juvenile offender cases to assure assessment and treatment is accorded when substance abuse concerns are first noted, consistent with the Robert Wood Johnson Foundation report for Reclaiming The Future.

Through continued opportunities for judges to meet with state and local officials, magistrate judges will strengthen partnerships promulgated by the Juvenile Corrections Act of 1995. Court, county, community, and state partnerships are essential to address increasingly complex juvenile cases being filed in all areas of Idaho.

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